



Report to: Development Services Committee

Report Date: June 18, 2013

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**SUBJECT:** RECOMMENDATION REPORT  
Grandfield Homes (Oakford) Limited  
Applications for Draft Plan of Subdivision and Zoning By-law Amendment to permit 48 single detached residential units, Block 226, Plan 65M-3526 and Block 77, Plan 65M-3559  
File No. SU 12 120199 & ZA 12 120199

**PREPARED BY:** Rosanna Punit, Ext 2051  
Planner, West District

**REVIEWED BY:** Ron Blake, M.C.I.P., R.P.P., Ext. 2600  
Manager, West District

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**RECOMMENDATION:**

- 1) That the Staff Report entitled "RECOMMENDATION REPORT, Grandfield Homes (Oakford) Limited, Applications for Draft Plan of Subdivision and Zoning By-law Amendment to permit 48 single detached residential units, Block 226, Plan 65M-3526 and Block 77, Plan 65M-3559, File No. SU 12 120199 & ZA 12 120199" be received;
- 2) That the record of the Public Meeting held on February 19, 2013 regarding the Draft Plan of Subdivision and implementing Zoning By-law Amendment be received;
- 3) That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft approval, subject to the conditions set out in Appendix 'A' to this report, as may be amended by the Director of Planning and Urban Design, or his designate;
- 4) That the application submitted by Grandfield Homes (Oakford) Limited to amend the Zoning By-law 177-96, as amended, be approved and that the draft by-law attached as appendices 'B' & 'C' be finalized and enacted without further notice;
- 5) That 2011/2012 servicing allocation for 48 single detached units (177.6 population) be granted to plan of subdivision 19TM-12009, in accordance with the June 26, 2012 staff report on servicing allocation;
- 6) That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner;
- 7) That the 2.5 metre strip of land from Block 77, Plan 65M-3559 comprising 940 square metres as shown on Attachment No. 5 be declared surplus to municipal purposes pursuant to By-law 178-96 and conveyed to the applicant at fair market value in the opinion of the Manager of Real Property;

- 8) That the applicant provide to the City the 30% payment of the required subdivision processing fee in accordance with the City's Fee By-law (By-law 211-83, as amended by By-law 2012-244);
- 9) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

The purpose of this report is to review the proposed development of the site for 48 single detached units. The report recommends approval of the proposed Draft Plan of Subdivision and implementing Zoning By-law Amendment.

**BACKGROUND:**

**Property and Area Context**

The subject property is located on the south side of Oakford Drive, between Moss Creek Boulevard and Willow Heights Boulevard (Figure 1). The site is approximately 2 hectares (5 acres) and is currently vacant. Willow Heights Park abuts the subject lands to the south. A low density residential community exists to the north, east and west of the property (Figure 3). The subject lands were originally set aside as an elementary school site but this site has been declared surplus by the York Region Catholic District School Board. It has been determined that these lands are not required by the City for any public purposes. Grandfield Homes (Oakford) Limited has purchased the lands for residential development.

**Official Plan and Zoning**

The subject lands are designated "Elementary School" in the Woodbine North Secondary Plan (OPA 43). The designation provides for an Elementary School. In the event the school is not required by the School Board, or is not acquired by the City of Markham for public purposes, the secondary plan policies provide for the subject lands to be developed in accordance with the Low Density Housing Designation. The Woodbine North Secondary Plan, Appendix I outlines the target housing mix for the area and the Markham Official Plan (1987) establishes a maximum net density of 37 units per hectare in the Low Density Housing Designation.

The subject lands are zoned "Residential Two Special" [R2-S\*70 (H)] by By-law 177-96, as amended (Figure 2). The current zoning permits single detached dwellings and all uses within the Open Space Two (OS2) category including art galleries, libraries, museums, community centres, public park, and public schools. A Zoning By-law amendment is required to implement site specific residential development standards

**Original Proposal**

The original draft plan proposed that development of the 2.003 hectare property would comprise 60 dwelling units, consisting of 24 single detached units and 36 semi-detached

lots (See Figure 4). The draft plan included two east-west streets, Street '1' and Street '2', both of which would align with the existing streets to the east and west and include a right-of-way width of 16.5 metres. 'Street 1' would align with Woodruff Road and Stoneheath Crescent and 'Street 2' would align with Bartlett Road and Stoneheath Crescent.

Construction of 'Street 2', would have required the owner to purchase a portion of the City owned Willow Heights Park consisting of a strip of land approximately 6 metres (20 feet) wide (total area of approximately 940m<sup>2</sup> or 0.09397 ha) to complete a standard road width of 16.5 metres.

The chart below describes the previous proposal of the draft plan of subdivision:

	Units	Hectares	Acres
Gross Site Area		2.003	4.949
Street '1'		0.2095	0.517
Street '2'		0.2095	0.517
Residential (Singles)	24	0.815	2.014
Residential (Semis)	36	0.769	1.900
Net Residential Area		1.584	3.914
Net Density	60	37.88 Units per hectare	15.33 Units per Acre

#### **Public Meeting Held February 19, 2013**

A statutory Public Meeting was held on February 19, 2013. A number of area residents attended the Public Meeting and raised concerns about traffic congestion, density and loss of parkland to complete 'Street 2'.

#### **Petition Received April 24, 2013**

A petition was received by the City on April 24, 2013 from the residents with the same concerns raised at the Public Meeting, and noted above.

### **OPTIONS/ DISCUSSION:**

#### **New Proposal**

After the Public Meeting the applicant considered a variety of alternative layouts in an attempt to minimize impacts on the existing park. The preferred alternative incorporates several revisions including removing the semi-detached dwellings from the plan which reduces the number of units from 60 dwelling units to 48 (See Figure 5). As the density has decreased, an Official Plan Amendment is no longer required.

In addition, Engineering Staff have agreed to allow the right-of-way width of 'Street 2' to be reduced to 13.0 metres instead of 16.5 metres. The new 13.0 metre road width reduces the width of the strip of land required from Willow Heights Park to 2.5 metres (8.2 feet) (total land area 400m<sup>2</sup>) compared to the 6 metres (940 m<sup>2</sup>) originally proposed. Below is a chart outlining the revised proposal:

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	Units	Hectares	Acres
Gross Site Area		2.003	4.949
Street '1'		0.2095	0.517
Street '2'		0.163	0.403
Residential (Singles)	48	1.584	3.914
Net Residential Area		1.584	3.914
Net Density	48	30.30 Units per hectare	12.27 Units per Acre

### **Configuration of 'Street 2' Complies with Community Design Plan**

The proposed location of 'Street 2' (i.e. partially encroaching in the park) is in conformity with the Woodbine North Community Design Plan, approved by Council in June 1998. The Community Design Plan shows a residential layout plan that would be acceptable if a school is deemed surplus to the needs of the school board. The Community Design Plan shows 'Street 2' encroaching over a strip of land along the northern edge of the park (See Figure 6).

### **Parkland**

The Woodbine North Community (Secondary Plan Area) was developed in accordance with the Woodbine North Community Design Plan, approved by Council in June 1998. The community is served by a number of existing parks including Willow Heights Park, Starhill Parkette, Hillmount Park, and Milton Fierheller Park. The total amount of parkland conveyed to the City is 5.273 hectares, which exceeds the Planning Act requirements. As noted earlier a portion of the existing park would be required to complete 'Street 2'. As conditions of draft approval, the owner will be required to purchase from the City the land required to complete the road allowance; to pay cash-in-lieu for parkland dedication for the 48 units; and to provide restoration of City owned parkland affected by development of 'Street 2' to the satisfaction of the Manager of Parks and Open Space Development and the Director of Operations (Parks).

### **Current Use of the 2.5m Parcel of Land**

The 2.5m strip of land that is proposed to be acquired for 'Street 2' is currently adjacent to a chain link fence which separates the parkland and the Grandfield Homes property (See Figure 7). The proposed 'Street 2' will provide a transition into the existing park, and additional public access and exposure. The function of the park will remain; street edge will be created. Attached are images depicting the current site situation (See Figures 8, 9, 10, 11).

### **Servicing Allocation**

Servicing allocation for 2011/2012 has been assigned to the development for the 48 dwelling units. A holding provision is not required to be placed on the property.

### **FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)**

Not applicable.

### **HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

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**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The proposed applications will align with the Town's strategic priority of "Growth management and Municipal Services" by implementing the proposed development in coordination with available servicing allocation.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The requirements of the City Departments and external agencies have been incorporated into the draft plan and recommend Conditions of Draft Approval, which are appended to this report.

**RECOMMENDED BY:**



Rino Mostacci, M.C.I.P., R.P.P.  
Director, Planning and Urban Design



Jim Baird, M.C.I.P., R.P.P.  
Commissioner of Development Services

**ATTACHMENTS:**

- Figure 1: Location Map
- Figure 2: Area Context and Zoning
- Figure 3: Aerial Photo
- Figure 4: Original Draft Plan of Subdivision
- Figure 5: Revised Draft Plan of Subdivision
- Figure 6: Excerpt from the Woodbine North Community Design Plan
- Figure 7: Photo: Looking East
- Figure 8: Photo: Looking East on Bartlett Road
- Figure 9: Photo: Looking Southeast
- Figure 10: Photo: Looking South on Moss Creek Boulevard
- Figure 11: Looking East on Moss Creek Boulevard

Appendix 'A' – Conditions of Draft Plan Approval

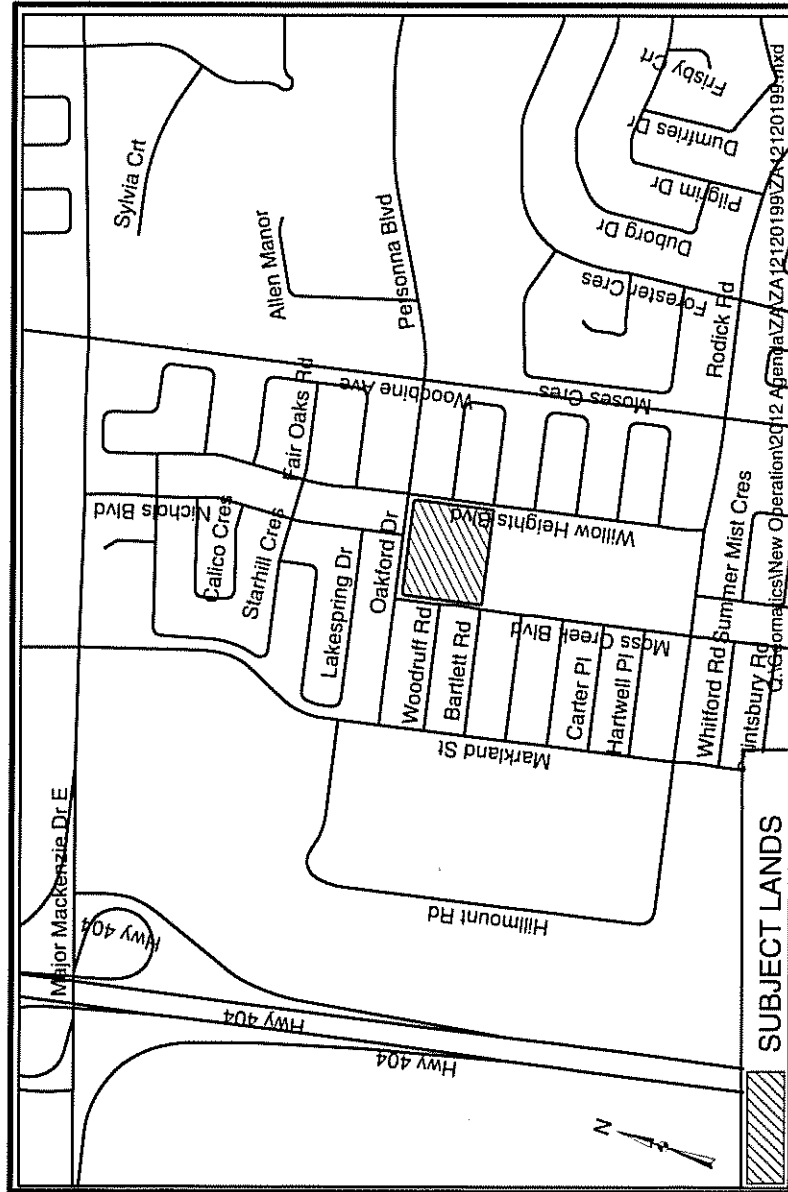
Appendix 'B' and 'C' – Draft Zoning By-law Amendment

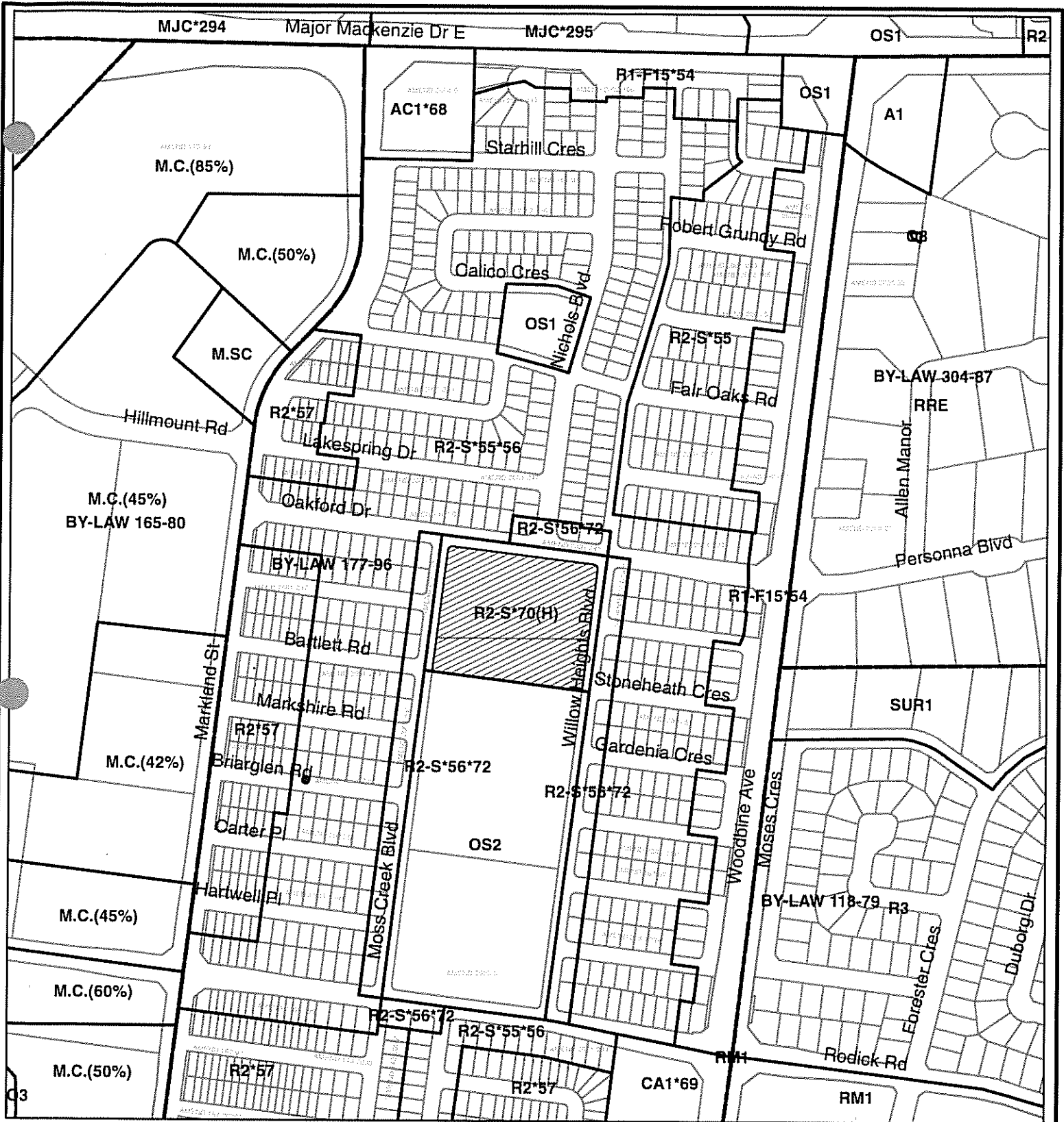
**APPLICANT**

Grandfield Homes (Oakford) Limited  
7225 Woodbine Avenue, Suite 103  
Markham, Ontario L3R 1A3  
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Fax: 416 438 9736  
[fortressdeveloper@hotmail.com](mailto:fortressdeveloper@hotmail.com)

**AGENT**

KLM Planning Partners Inc.  
Attn: Keith McKinnon  
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Concord, Ontario L4K 3P3  
Phone: 905 669 4055  
Fax: 905 669 0097  
[kmackinnon@klmplanning.com](mailto:kmackinnon@klmplanning.com)





# AREA CONTEXT / ZONING


APPLICANT: GRANDFIELD HOMES (OAKFORD) LIMITED  
 SOUTH OF OAKFORD DRIVE,  
 WEST OF WILLOW HEIGHTS BLVD.

 SUBJECT LANDS

FILE No. ZA.12120199 ; OP.12120199 & SU.12120199 (RP)

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DATE: 10/05/2012

 DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW Checked By: RP

FIGURE No. 2



# AIR PHOTO

APPLICANT: GRANDFIELD HOMES (OAKFORD) LIMITED  
SOUTH OF OAKFORD DRIVE,  
WEST OF WILLOW HEIGHTS BLVD.

 SUBJECT LANDS

FILE No. ZA.12120199 ; OP.12120199 & SU.12120199 (RP)

DATE: 10/05/2012



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DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: RP

FIGURE No. 3

# ORIGINAL DRAFT PLAN

APPLICANT: GRANDFIELD HOMES (OAKFORD) LIMITED  
SOUTH OF OAKFORD DRIVE,  
WEST OF WILLOW HEIGHTS BLVD.

FILE No. ZA.12120199 ; OP.12120199 & SU.12120199 (RP)

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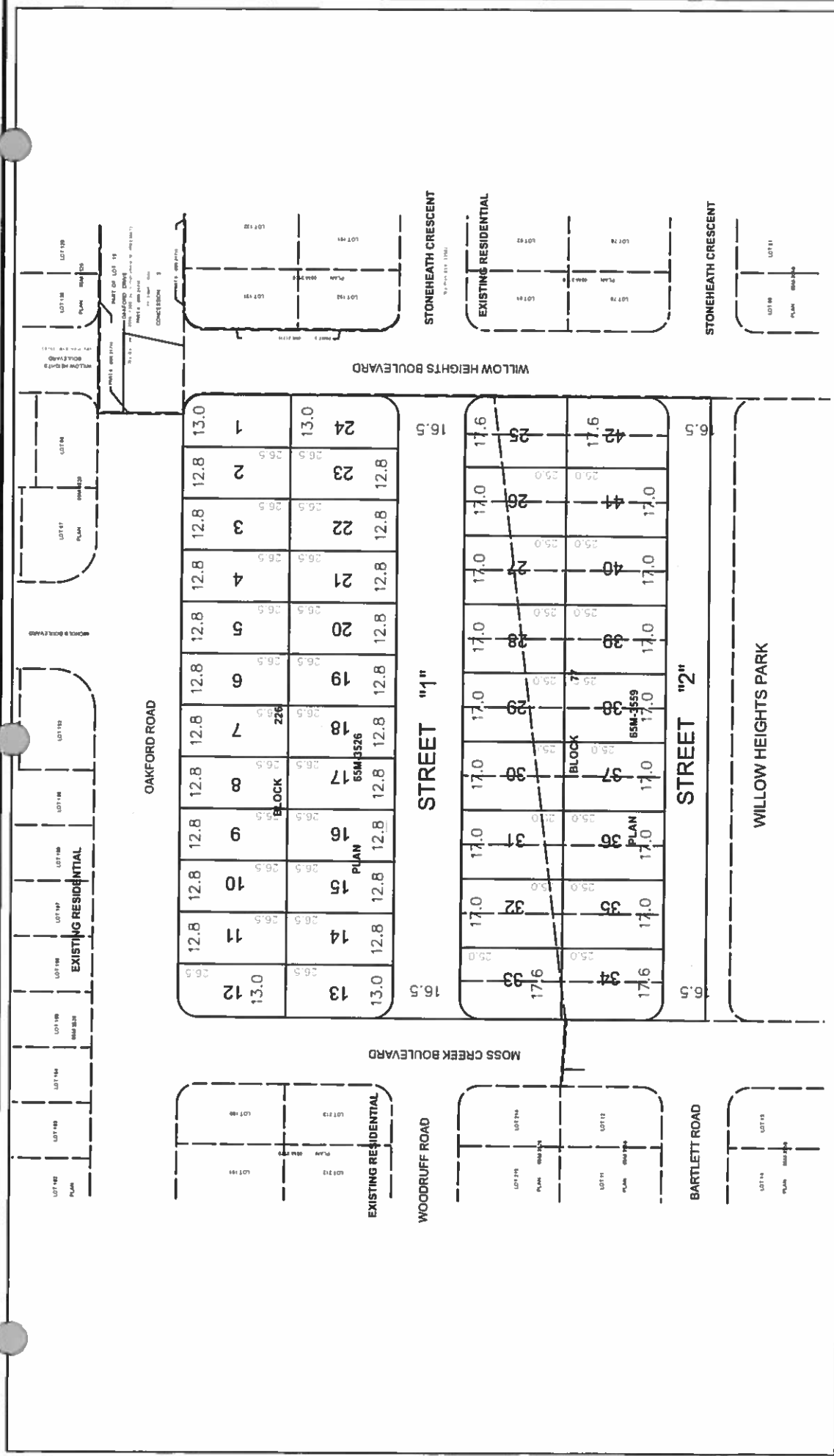


Drawn By: CPW

Checked By: RP

DATE: 05/24/2013

FIGURE No. 4



# REVISED DRAFT PLAN

APPLICANT: GRANDFIELD HOMES (OAKFORD) LIMITED  
SOUTH OF OAKFORD DRIVE,  
WEST OF WILLOW HEIGHTS BLVD.

FILE No. ZA.12120199 ; OP.12120199 & SU.12120199 (RP)

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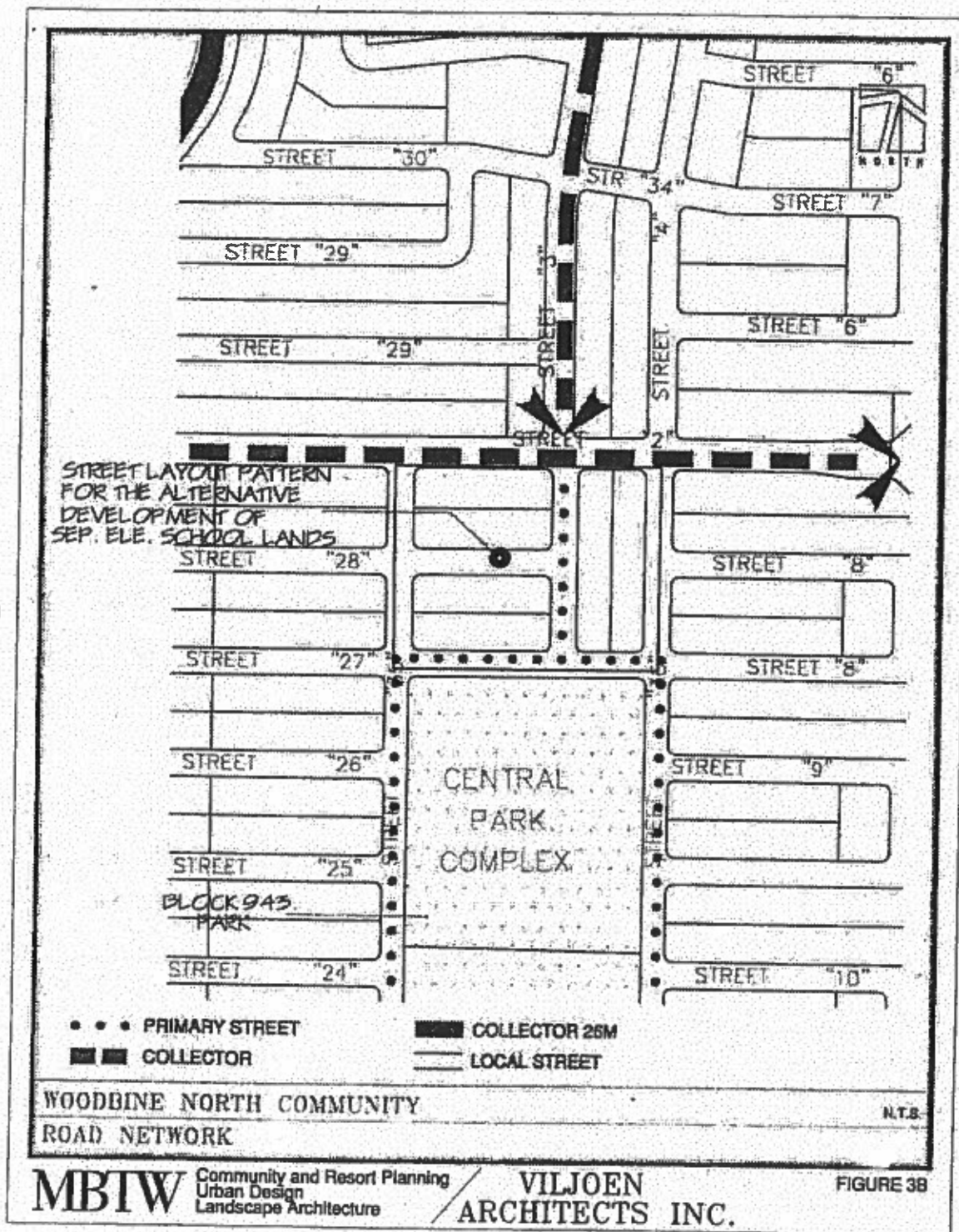
Drawn By: CPW

Checked By: RP

DATE: 05/24/2013

FIGURE No. 5





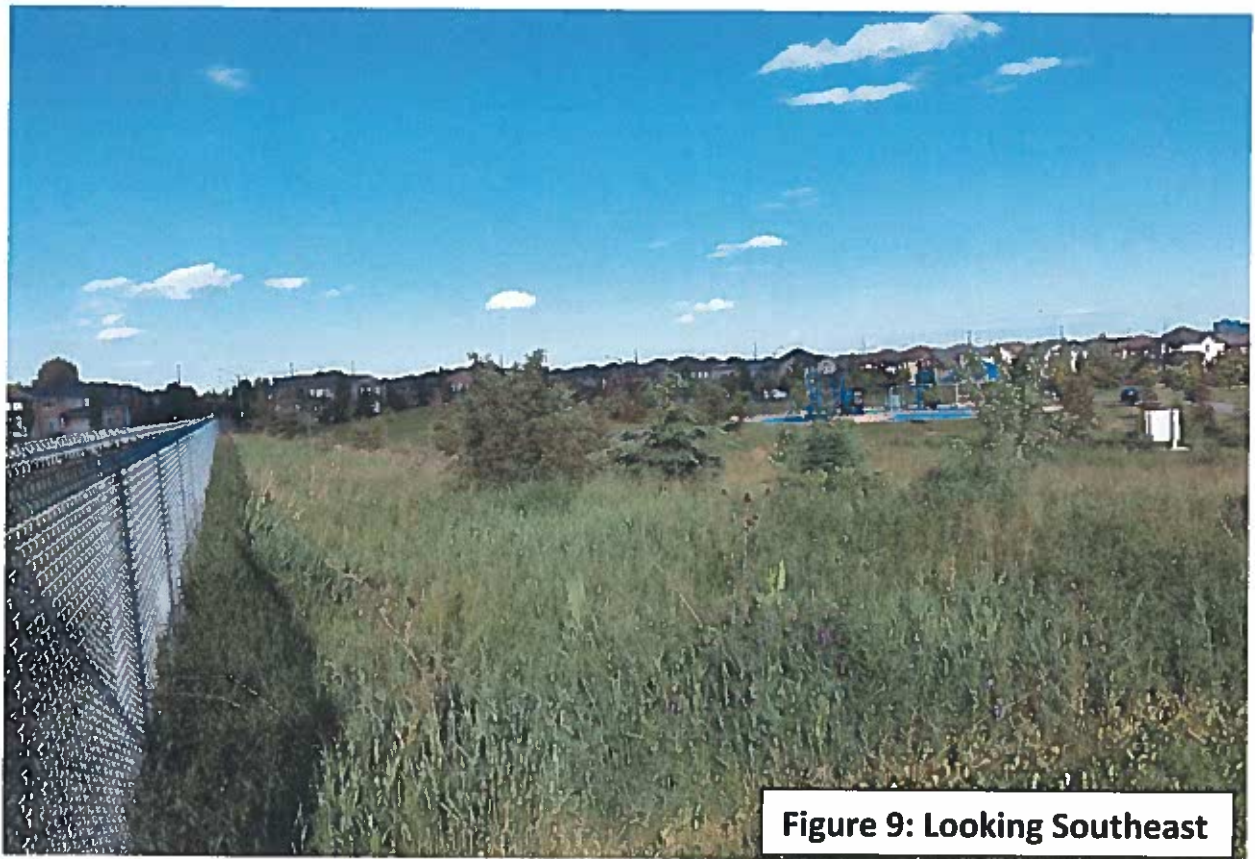
Excerpt from:  
Woodbine North Community Plan  
June, 1998



**Figure 7: Looking East**



**Figure 8: Looking East on Bartlett Road**



**Figure 9: Looking Southeast**



**Figure 10: Looking South on Moss Creek Boulevard**



**Figure 11: Looking East on Moss Creek Boulevard**

**RECOMMENDED CONDITIONS OF DRAFT APPROVAL OF PLAN OF SUBDIVISION 19TM-12009 (OAKFORD DRIVE— GRANDFIELD HOMES (OAKFORD) LIMITED) ARE AS FOLLOWS:**

**1     General**

- 1.1     Approval shall relate to a draft plan of subdivision prepared by KLM Planning, identified as Project Number P-2242, dated May 8, 2013.
- 1.2     The Owner acknowledges and agrees that the draft plan of subdivision and associated conditions of draft approval may require revisions, to the satisfaction of the City, to implement or integrate any recommendations from studies required as a condition of draft approval, including, but not limited to, Traffic Impact Study, Internal Servicing Study, Noise Impact Study, confirmation of alignment of roads with the locations shown in the draft approved plans, as well as any comments and conditions received from municipal departments and external agencies after draft approval is granted.
- 1.3     This draft approval shall apply for a maximum period of three (3) years from date of issuance by the City, and shall accordingly lapse on June XX, XXXX, unless extended by the City upon application by the Owner.
- 1.4     The Owner shall enter into a subdivision agreement with the City agreeing to satisfy all conditions of the City and Agencies, financial and otherwise, prior to final approval.
- 1.5     The Owner acknowledges and understands that prior to final approval of this draft plan of subdivision, amendments to Zoning By-laws 177-96 to implement the plan shall have come into effect in accordance with the provisions of the Planning Act.

**1.0    Tree Inventory and Tree Preservation Plans**

- 1.1     The Owner shall submit for approval a tree inventory and tree preservation plan to the satisfaction of the Director of Planning and Urban Design in accordance with the City of Markham Streetscape Manual dated 2009, as amended from time to time.
- 1.2     The Owner shall submit a site grading plan showing the trees to be preserved based on the approved Tree Preservation Plan prior to the issuance of a Top Soil Stripping Permit to the satisfaction of the Director of Planning and Urban Design.

- 1.3 The Owner shall obtain written approval from the Director of Planning and Urban Design prior to the removal of any trees or destruction or injury to any part of a tree within the area of the draft plan.
- 1.4 The Owner shall submit for approval, as part of the tree inventory and tree preservation plan, in accordance with the City of Markham Streetscape Manual a tree compensation schedule detailing replacement and enhancement planting or the replacement value based on the following:
  - a) Trees between 20cm and 40cm diameter at breast height (DBH) shall be replaced at a ratio of 2:1.
  - b) All trees over 40cm DBH shall have an individual valuation submitted to the City by an ISA certified Arborist in accordance with the Council of Tree and Landscape Appraisers (CTLA) Guide for Plant Appraisal (2000).
  - c) Compensation for removed trees over 40cm DBH in accordance with the appraisal.
  - d) Where a site does not allow for the 2:1 replacement, the City will negotiate a credit for tree planting on alternate sites
  - e) The requirement for the replacement or equivalent economic value following unauthorized tree removal or damage shall be determined by the City.

## 2. Community Design

- 2.1 The Owner shall implement and incorporate all requirements of the approved Woodbine North Community Plan and Woodbine North Architectural Design Guidelines into all landscape plans, architectural control guidelines, engineering plans and any other required design documents to the satisfaction of the City.
- 2.2 The Owner shall provide addendums of the approved Woodbine North Community North Community Plan and Woodbine North Architectural Design Guidelines for area within the school site to the satisfaction of the Director of Planning and Urban Design.
- 2.3 The Owner shall provide a priority lot plan to the satisfaction of the Director of Planning and Urban Design.
- 2.4 The Owner shall retain a design consultant to implement the Architectural Control Guidelines.

- 2.5 Plans submitted for model home permits for any building within the plan of subdivision shall bear an approval stamp identifying the architectural company retained for architectural control and the signature of the control architect. The approval stamp shall certify that the floor plans, building elevations and site plans are designed in accordance with the approved architectural control guidelines.
- 2.6 The Owner shall ensure that the design architect for any buildings within the plan of subdivision shall not also assume the role of control architect for the plan of subdivision.

3. Parks and Open Space

- 3.1 The Owner shall submit grading, servicing and survey plans by a qualified person to the satisfaction of the Director of Planning and Urban Design.
- 3.2 The Owner shall post approved copies of any Open Space Plans, Conceptual Park Development Master Plans and Conceptual Facility Fit Plans for the park and school campus in all sales offices for dwelling units within the draft plan of subdivision.

4.0 Landscape Works

- 4.1 Prior to execution of the subdivision agreement, the Owner shall submit landscape plans based on the approved Woodbine North Community Plan into all landscape works, to the satisfaction of the Director of Planning and Urban Design.
- a) street tree planting in accordance with the City of Markham Streetscape Manual dated June 2009.
  - b) minimum 1 tree per lot.
  - c) 1.8m high wood screen corner lot fencing.
  - d) 1.5m wide public sidewalk along all public streets.
  - e) streetscape plan including street trees and provision of appropriate landscape treatment along the south of Street '2'.

f) any other landscaping as determined by the Community Design Plan.

4.2 The Owner shall construct all landscaping in accordance with the approved plans at no cost to the City.

4.3 The Owner shall not permit their builders to charge home purchasers for the items listed in Condition 4.1.

4.4 The Owner shall include in all agreements of purchase and sale the following clause:

"PURCHASERS ARE ADVISED THAT AS A CONDITION OF APPROVAL OF THE SUBDIVISION WITHIN WHICH THIS LOT IS LOCATED, THE CITY OF MARKHAM HAS REQUIRED THE DEVELOPER TO UNDERTAKE AND BEAR THE COST OF THE FOLLOWING ITEMS:

- STREET TREES (TREES PLANTED IN THE CITY BOULEVARD OR IN ADJACENT PUBLIC LANDS OR PRIVATE LOTS TO MEET 4.1A)
- CORNER LOT FENCING
- TREE PLANTING IN REAR YARDS ADJOINING THE LANES (IF SPECIFICALLY REQUIRED BY THE CITY)
- BUFFER PLANTING FOR OPEN SPACE, WALKWAY AND STORMWATER MANAGEMENT POND BLOCKS AND SINGLE LOADED STREET ALLOWANCES
- SUBDIVISION ENTRY FEATURES AND DECORATIVE FENCING AS IDENTIFIED ON LANDSCAPE PLANS APPROVED BY THE CITY.

THE DEVELOPER HAS BORNE THE COST OF THESE ITEMS AND THE HOME PURCHASER IS NOT REQUIRED TO REIMBURSE THIS EXPENSE."

## **5.0 Financial**

Prior to execution of the subdivision agreement the Owner shall provide a letter of credit, in an amount to be determined by the Director of Planning and Urban Design, to ensure compliance with applicable tree preservation, fencing, streetscape, buffer and other landscaping requirements.

Prior to execution of the subdivision agreement the Owner shall provide cash-in-lieu payment for Parkland Dedication or proof of previous payment or dedication. An appraisal report of the land value of the property will be required should proof of payment not be provided prior to the execution of the Subdivision Agreement. The report must be prepared by a member of the Appraisal Institute of Canada, Ontario Association and submitted to the Commissioner of Development Services.

## Engineering Comments

### 6. General

- 6.1 Approval shall relate to a draft plan of subdivision prepared by KLM Planning Partners Inc., identified as Project Number P-2242 Drawing Number 13:2, dated May 08, 2013, incorporating the following redline revisions:
- Show ROW rounding radius for all roadways intersections.
- 6.2 The Owner acknowledges and agrees that the draft plan of subdivision and associated conditions of draft approval may require revisions, to the satisfaction of the City, to implement or integrate any recommendations from studies required as a condition of draft approval, including, but not limited to, Traffic Impact Study, Stormwater Management Study, Internal Servicing Study, Noise Impact Study, confirmation of alignment of roads with the locations shown in the draft approved plans, as well as any comments and conditions received from municipal departments and external agencies after draft approval is granted.

### 7. Roads

- 7.1 The road allowances within the draft plan shall be named to the satisfaction of the City and the Region of York.
- 7.2 The road allowances within the draft plan shall be dedicated as public highway, free of all costs and encumbrances.
- 7.3 The Owner shall covenant and agree in the subdivision agreement that the public highways shall be designed and constructed in accordance with established municipal standards to the satisfaction of the City (Commissioner of Development Services).
- 7.4 Prior to the final approval of the draft plan, the Owner shall show the ROW rounding radius of all road intersections, as redlined on the draft plan, to the satisfaction of the City (Commissioner of Development Services).
- 7.5 Prior to final approval of the draft plan, the Owner shall acquire from the City of Markham, the additional 2.5 metres of land required to complete the Street '2' road allowance, to the satisfaction of the City (Commissioner of Development Services).
- 7.6 The Owner shall covenant and agree in the subdivision agreement that Street '2' shall be designed with 5.0m north boulevard, 7.0m travel portion (back of curb to back of curb), 1.0m south boulevard and constructed in accordance with

established municipal standards to the satisfaction of the City (Commissioner of Development Services).

- 7.7 The Owner shall covenant and agree in the subdivision agreement to implement modifications to the existing Moss Creek Boulevard / Bartlett Road and Willow Heights Boulevard / Stoneheath Crescent intersections where Street '2' is to intersect with Moss Creek Boulevard and Willow Heights Boulevard subject to the findings in the Internal Functional Traffic Design Study.
- 7.8 The Owner shall covenant and agree in the subdivision agreement to install 'No Parking' signs along the entire length of Street '2'.

8. Noise Impact Study

- 8.1 Prior to final approval of the draft plan, the Owner shall submit a Noise Impact Study, prepared by a qualified noise consultant, with recommended mitigation measures for noise generated by road traffic and by any other identified noise sources, to the satisfaction of the City. The Owner further agrees to make any revisions to the draft plan that may be required to achieve the recommendations of the Noise Impact Study.
- 8.2 The Owner shall covenant and agree in the subdivision agreement to implement noise control measures and warning clauses as recommended by the approved Noise Impact Study, to the satisfaction of the City (Commissioner of Development Services).

9. Stormwater Management

- 9.1 Prior to final approval of the draft plan, the Owner shall submit an updated Functional Servicing Report to reflect proposed development, prepared by a qualified engineer, detailing overland flow routes, and erosion and siltation controls for the draft plan for approval by the City.
- 9.2 The Owner shall covenant and agree in the subdivision agreement to obtain approval of Site Alteration Plans in accordance with the City's Standards prior to proceeding with any on-site works and more particularly topsoil stripping.

10. Municipal Services

- 10.1 Prior to final approval of the draft plan, the Owner shall prepare, to the satisfaction of the City (Commissioner of Development Services), a Functional Servicing Report to determine the infrastructure required for all municipal services internal to the subdivision and potential upgrades to municipal infrastructure downstream of the subdivision resulted from this development.

Any requirements resulting from this Report shall be incorporated into the draft plan and provided for in the subdivision agreement. The owner shall covenant and agree in the subdivision agreement to pay for all external municipal infrastructure upgrades.

- 10.2 The Owner shall covenant and agree in the subdivision agreement that they shall be required to construct, or pay for the construction of, roads, bicycle lanes, curbs, gutters, sidewalks (in accordance with the applicable Council policy), underground and above ground services, street lights, street signs, utilities, stormwater management facilities, etc., to the satisfaction of the City (Commissioner of Development Services).
- 10.3 Prior to final approval of the draft plan, detailed engineering drawings shall be provided by the Owner which will include, but not be limited to grading control plans, plan and profile drawings of all underground and aboveground services, general plans, drainage plans, composite utility plans, stormwater management detail plans, etc. to the satisfaction of the City (Commissioner of Development Services).
- 10.4 The Owner shall acknowledge and agree in the subdivision agreement that building permits will not be issued for lands in any stage of development within the draft plan of subdivision until the Director of Building Services has been advised by the Fire Chief that there is an adequate water supply for firefighting operations and acceptable access for firefighting equipment is available.

11. Traffic Impact Study / Internal Functional Traffic Design Study

- 11.1 Prior to final approval of the draft plan, the Owner shall prepare a Traffic Impact Study / Internal Functional Traffic Design Study to the satisfaction of the City. The Owner shall incorporate the requirements and criteria of the Traffic Impact Study / Internal Functional Traffic Design Study into the draft approved plan and subdivision agreement.

12. Easements

- 12.1 The Owner shall grant required easements to the appropriate authority for public utilities, drainage purposes or turning circles, upon registration of the plan of subdivision. Any off-site easements and works necessary to connect watermains, storm and sanitary sewers to outfall trunks and stormwater management facilities shall be satisfactory to, and dedicated to, the City.

13. Utilities

13.1 The Owner shall covenant and agree in the subdivision agreement that hydro electric, telephone, gas and television cable services, and any other form of telecommunication services shall be constructed at no cost to the City as underground facilities within the public road allowances or within other appropriate easements, as approved on the Composite Utility Plan, to the satisfaction of the City (Commissioner of Development Services) and authorized agencies.

13.2 The Owner shall covenant and agree in the subdivision agreement to enter into any agreement or agreements required by any applicable utility companies, including PowerStream, Enbridge, telecommunications companies, etc.

13.3 The Owner shall covenant and agree in the subdivision agreement to facilitate the construction of Canada Post facilities at locations and in manners agreeable to the City of Markham in consultation with Canada Post, and that where such facilities are to be located within public rights-of-way they shall be approved on the Composite Utility Plan and be in accordance with the Community Design Plan.

13.4 The Owner shall covenant and agree in the subdivision agreement to include on all offers of purchase and sale a statement that advises prospective purchasers that mail delivery will be from a designated Community Mailbox. The Owners will further be responsible for notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sale.

13.5 The Owner shall covenant and agree in the subdivision agreement to provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to new residents as soon as homes are occupied.

13.6 Standard Community Mailbox installations are to be done by Canada Post at locations approved by the municipality and shown on the Composite Utility Plan. Should the developer propose an enhanced Community Mailbox installation, any costs over and above the standard installation must be borne by the developer, and be subject to approval by the City in consultation with Canada Post.

13.7 The Owner covenants and agrees that it will permit any telephone or telecommunication service provider to locate its plant in a common trench within the proposed subdivision prior to registration provided the telephone or telecommunications services provider has

executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.

**14. Phase 1 Environmental Site Assessment (ESA)**

**14.1 Prior to release for registration of the draft plan, the Owner shall:**

- i) Submit environmental site assessment reports prepared by a Qualified Person in accordance with the Record of Site Condition Regulation (O.Reg. 153/04) describing the current conditions of the land to be conveyed to the City and any proposed remedial action plan, for peer review and concurrence;**
- ii) At the completion of any necessary site remediation process, submit certification from the Qualified Person that the necessary clean up has been carried out and that the land to be conveyed to the City meets the Site Condition Standards of the intended land use;**
- iii) File a Record of Site Condition on the Provincial Environmental Site Registry for the land to be conveyed to the City; and**
- iv) Pay all costs associated with the City retaining a third-party reviewer for the peer review service.**

**14.2 The Owner shall covenant and agree in the subdivision agreement that if during construction of any infrastructure or building within the subdivision contaminated soils are discovered, the Owner shall submit a further remedial action plan to the City for peer review and concurrence prior to carrying out the clean up, to the satisfaction of the Director of Engineering.**

**15. Well Monitoring Program and Mitigation Plan**

Prior to any site alteration activities, the Owner shall check if there are any active wells within 500 metres of the Zone of Influence (ZOI). If any active wells are found within the ZOI, the Owner shall prepare and implement a Well Monitoring Program and Mitigation Plan, in accordance with the City's requirements to the satisfaction of the Director of Engineering.



**EXPLANATORY NOTE**

**BY-LAW 2013 -XX**

**A By-law to amend By-law 177-96, as amended**

**Grandfield Homes (Oakford) Limited**

**Oakford Drive**

**PLAN 65M-3526 BLK 226 & PLAN 65M-3559 BLK 77**

**Lands Affected**

The proposed by-law amendment applies to lands located on the west side of Woodbine Avenue, north of 16<sup>th</sup> Avenue and south of Major Mackenzie Drive, known as Block 226 on Plan 65M-3526 and Block 77 on Plan 65M-3526, in the Woodbine North Secondary Plan.

**Existing Zoning**

The lands are currently zoned Residential Two Special [R2-S\*70 (H)] by By-law 177-96 as amended.

**Purpose and Effect**

The lands were formally intended for a school site, now declared surplus. The purpose and effect of the By-law will be to permit 48 single detached dwellings on the site and to introduce site specific development standards. Servicing allocation has been provided for the 48 dwelling units, satisfying the holding provision. The 'H' has been removed from the site.



## BY-LAW 2013-XX

A By-law to amend Urban Expansion Area  
Zoning By-law 177-96, as amended

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM  
HEREBY ENACTS AS FOLLOWS:

1.0 By-law 177-96, as amended, be and the same is hereby further amended as follows:

1.1 By rezoning the lands within the designated area of this By-law as shown on Schedule 'A' hereto from:

Residential Two - Special \*70 (Hold) [R2-S\*70(H)] to  
Residential Two – Special \*70 [R2-S\*70]

1.2 That By-law 177-96, as amended, is hereby further amended by deleting Section 7.70 and replacing with the following:

### **“7.70 WOODBINE NORTH FORMER SCHOOL SITE**

Notwithstanding the provisions of this By-law, the provisions in this Section shall apply to those lands by the symbol \*70 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

#### **7.70.1 Only Uses Permitted**

The following is the only use permitted:

- a) Single detached dwellings.

#### **7.70.2 Zone Standards**

The following specific Zone Standards apply:

- a) The maximum garage width shall be 5.5 metres;
- b) Maximum driveway width shall be 6.1 metres;
- c) The minimum exterior side yard shall be 2.0 metres;
- d) Minimum rear yard setback of 6.5m;
- e) Minimum lot depth for a wide shallow lot of 24.0m”.

3.0 All other provisions of By-law 177-96, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS  
\*\* DAY OF \*\*\*, 20\*\*.

KIMBERLEY KITTINGHAM  
CITY CLERK

FRANK SCARPITTI  
MAYOR

# APPENDIX

C



## BY-LAW SCHEDULE "A" TO AMEND BY-LAW 177-96

 BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE

 RESIDENTIAL TWO - SPECIAL  HOLDING PROVISION

 EXCEPTION NUMBER

BY-LAW AMENDMENT No.                      PASSED

(MAYOR)

(CLERK)



DEVELOPMENT SERVICES COMMISSION

Drawn By: DD

Checked By: RP

DATE: 05/28/13

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office